## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE at WINCHESTER

| ED NUNLEY, KRISTI LAY HURST, and HOLLI LAY BRANSON, | )                              |
|---|--------------------------------|
| Plaintiffs / Counter-Defendants,                    | )<br>)<br>Case No. 4:11-cv-21  |
| V.  |                                |
| PROPERTY & CASUALTY INSURANCE COMPANY OF HARTFORD,  | ) Judge Mattice<br>)<br>)<br>) |
| Defendant / Counter-Claimant.                       | )                              |

## **ORDER**

This matter comes before the Court upon Defendant/Counter-Claimant's Motion to Dismiss (Doc. 16) with prejudice its Counterclaim, on the grounds that Counter-Claimant does not intend to pursue its Counterclaim against Plaintiffs/Counter-Defendants. Counter-Defendants have not filed a responsive pleading to the Counterclaim.

Pursuant to Fed. R. Civ. P. 41(a) and (c), Counter-Claimant's Motion to Dismiss (Doc. 16) is hereby **GRANTED**. Counter-Claimant's Counterclaim is hereby **DISMISSED** WITH **PREJUDICE**.

Because the Court has previously disposed of all other issues presented in this action, the Clerk of Court is **DIRECTED** to close this case.

**SO ORDERED** this 29th day of May, 2012.

/s/Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE